

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC d/b/a BRAZOS LICENSING AND DEVELEOPMENT,)	
)	
)	Case No. 6:20-cv-487-ADA
)	
Plaintiff,)	
v.)	
)	
ZTE CORPORATION, ZTE (USA), INC., AND ZTE (TX), INC.,)	
)	
)	
Defendants)	

**DEFENDANT ZTE (USA) INC.'S UNOPPOSED MOTION TO EXTEND TIME TO
ANSWER OR OTHERWISE PLEAD**

PURSUANT TO Local Rule CV-7, Defendant ZTE (USA), Inc. herein moves the Court for an additional ten days, until October 9, 2020, for Defendant ZTE (USA) to answer or otherwise plead. In furtherance of this Motion, the Court is informed as follows:

1. The instant matter was filed on June 3, 2020. [ECF 1].
2. The instant matter is one of 11 cases filed by Plaintiff, on the same day, alleging patent infringement on the part of the three Defendants named in the caption in all 11 actions.
3. On July 17, 2020, a waiver of service of process, as executed by Defendant ZTE (USA) on July 1, 2020, by and through counsel, was filed. [ECF 13].
4. Due to the waiver, Defendant's date to answer or otherwise plead is currently September 29, 2020.
5. This matter involves a Defendant that is a domicile of the People's Republic of China, which necessitates interaction with persons outside of the United States on the part of Defendant's counsel.

6. Specifically, because Defendant intends to file a responsive motion (in this and the other ten cases), counsel for Defendant requires certain information for an accompanying affidavit, including, but not limited to, identifying the proper person(s) to execute the affidavit on behalf of Defendant, particularly in consideration of the probability of pre-decision discovery pertaining to matters that will be raised in the affidavit and motion.

7. The effects of the worldwide COVID pandemic have created unusual and extraordinary obstacles for counsel for Defendant, including impediments to travel to meet with agents for Defendant, which until the onset of the pandemic had been the normal course of action for counsel for Defendant.

8. Counsel for Defendant has been working on drafting the appropriate responsive motion and coordinating with Defendant regarding the information and affidavits that are needed.

9. Counsel for Defendant believes that everything necessary can be accomplished in the additional ten days requested.

10. This extension is not being sought for any purposes of undue delay or strategic advantage for any party, but is being requested for the reasons set forth in this Motion.

11. Counsel for Defendant has conferred with counsel for Plaintiff; Plaintiff offers no objection to this Motion.

PRAYER FOR RELIEF

WHEREFORE, Defendant ZTE (USA), Inc. pray(s) the Court will grant the relief requested, *i.e.*, order that Defendant's deadline for filing an answer or responsive motion be extended ten (10) days, from the current deadline of September 29, 2020 to October 9, 2020.

Respectfully submitted,

DUNLAP BENNETT & LUDWIG

/s/ Timothy S. Kittle

Erick S. Robinson
Texas Bar No. 24039142
Dunlap Bennett & Ludwig PLLC
7215 Bosque Blvd.
Waco, Texas 76710
(254) 870-7302 – Telephone
(713) 583-9737 – Facsimile
erobinson@dbllawyers.com

David R. Keesling, OBA No. 17881
Timothy S. Kittle, OBA No. 21979
6660 South Sheridan Road, Suite 250
Tulsa, Oklahoma 74133
(918) 998-9350 – Telephone
(918) 998-9360 – Facsimile
dkeesling@dbllawyers.com
tkittle@dbllawyers.com

Attorneys for Defendants:

ZTE Corporation

ZTE (USA), Inc.

ZTE (TX), Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of September, 2020, I electronically transmitted the attached document to the Clerk of Court using the ECF system for filing and transmittal of Notice of Electronic Filing to the following ECF registrants:

James L. Etheridge
Texas State Bar No. 24059147
Ryan S. Loveless
Texas State Bar No. 24036997
Travis L. Richins
Texas State Bar No. 24061296
ETHERIDGE LAW GROUP, PLLC
2600 East Southlake Boulevard, Suite 120 /324
Southlake, Texas 76092
(817) 470-7259 – Telephone
(817) 887-5950 – Facsimile
Jim@EtheridgeLaw.com
Ryan@EtheridgeLaw.com
Travis@EtheridgeLaw.com
Attorneys for Plaintiff:
WSOU Investments, LLC
d/b/a Brazos Licensing and Development

/s/ Timothy S. Kittle